

PMMc
Livingston, NJ

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

BRIAD RESTAURANT GROUP, LLC

and

Case 22-CA-165746

OUTTEN & GOLDEN, L.L.P.

ORDER APPROVING STIPULATION, GRANTING MOTION,
AND TRANSFERRING PROCEEDING TO THE BOARD

This matter comes before the National Labor Relations Board upon the joint motion of Respondent Briad Restaurant Group, LLC, Charging Party Outten & Golden, L.L.P., and the General Counsel to waive a hearing and decision by an administrative law judge and to transfer the proceedings to the Board for a decision based on the stipulated record.

On March 28, 2016, the General Counsel, through the Regional Director for Region 22, issued a complaint and notice of hearing alleging that, at all material times, the Respondent, on a corporate-wide basis, has promulgated and maintained individual arbitration agreements entitled “Employment At-Will and Arbitration Agreement, Non-California States – Hourly Employees” (Arbitration Agreement) and has required employees, upon hire, to sign the Arbitration Agreement as a condition of employment. The complaint further alleges that, by this conduct, the Respondent has been interfering with, restraining, and coercing employees in the exercise of the rights guaranteed in Section 7 of the Act, in violation of Section 8(a)(1) of the Act.

On September 7, 2016, the parties filed a joint motion and stipulation of facts with the Board. Pursuant to Section 102.35(a)(9) of the Board's Rules and Regulations, the parties have waived a hearing before an administrative law judge and agreed to submit the record in this case directly to the Board for findings of fact, conclusions of law, and a Decision and Order. The parties have requested that the Board set a time for the filing of briefs.

The Board having considered the matter,

IT IS ORDERED that the joint motion is granted and the case is transferred to and continued before the Board in Washington, D.C., for the purpose of issuing findings of fact, conclusions of law, and a Decision and Order.

IT IS FURTHER ORDERED that the stipulated record, which includes a stipulation of facts, joint exhibits 1 through 9, a statement of the issue presented, and statements of position by the Respondent, the Charging Party, and the General Counsel, is approved and made part of the record.

The parties may file briefs with the Board in Washington, D.C. on or before November 16, 2016, and answering briefs 14 days thereafter in accordance with Section 102.35(a)(9) of the Board's Rules and Regulations.

Dated, Washington, D.C., October 26, 2016.

By direction of the Board:

Gary Shinnors

Executive Secretary